

Therefore, restriction between these further limitations recited in the dependent claims is *per se* improper.

In view of the comments above, reconsideration and withdrawal of the restriction and election of species requirement are respectfully requested.

Other Remarks

The courtesies extended to Applicants' representative by Examiner Edwards during the telephone interview held November 5, 2008 are appreciated. The reasons presented during the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

Discussed during the interview was the alleged "language problem" in the claims and specification identified by Examiner Edwards in the September 16, 2008 Examiner-initiated interview and in the Interview Summary attached to the Restriction Requirement. Examiner Edwards asserts that the preamble of claim 1 is not commensurate with the body of claim 1 because once the yarn filaments are separated and uniformly distributed in a polymer matrix there no longer exists a filament yarn but instead filaments or fibers *per se* in a polymer matrix, resulting in a "composite" or an "island-in-the-sea" fiber.

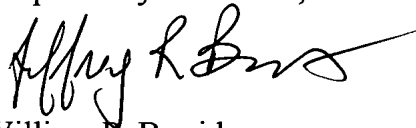
As discussed in the November 5 interview, Applicants respectfully disagree. As disclosed in the specification from page 11, line 24 to page 14, line 20, the composite yarn is first obtained by spinning together fibers to form filament yarns. Various methods are discussed for forcing a polymer material containing a foaming system between the fibers of the filament yarn. *Id.*

There is nothing in the specification that states or suggests that the fibers are completely separated from each other and straightened out that would lead one of skill in the art to reasonably conclude that the product disclosed by the Applicants is a "composite" or an "island-in-the-sea" fiber as asserted by the Examiner.

Furthermore, while the Examiner has provided copies of pages from a U.S. textile dictionary that defines "composite" and "island-in-the-sea" products, the Examiner has not provided a definition of "composite yarn" or an explanation of how he is construing the term. Thus, Applicants are not in a position to traverse the Examiner's construction of the term "composite yarn" and the alleged contradiction between the preamble and body of claim 1, or to amend claim 1 to obviate the issue.

As such, Applicants respectfully request that the Examiner clarify how "composite yarn" is being construed, and explain why a composite yarn cannot have its fibers uniformly distributed in a polymer while maintaining a twisting relationship between the fibers over the length of the yarn. If such a structure by definition cannot be a "composite yarn," Applicants respectfully request that the Examiner indicate the term he believes best describes this structure, as Applicants do not believe that such a structure could be properly described as a "composite" or an "island-in-the-sea."

Respectfully submitted,



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